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In re Application of	:	DECISION ON
Prentice et al	:	
Application No.: 10/522,291	:	
PCT No.: PCT/NZ2003/000174	:	
Int. Filing Date: 07 August 2003	:	PETITION UNDER
Priority Date: 09 August 2002	:	
Attorney Docket No.: 93602	:	
For: Mobil Instrument, Viewing Device, And	:	
Methods of Processing And Storing Information	:	37 CFR 1.182

This decision is in response to applicants' "PETITION TO CHANGE ORDER OF NAMES IN PATENT APPLICATION PURSUANT TO M.P.E.P. §605.04(f) and 37 C.F.R. §1.182" filed on 05 July 2005. Applicants' Deposit Account No.: 23-0920 has been charged \$270.00 so that the total fee for the petition under 37 C.F.R. §1.182 is \$400 pursuant to 37 C.F.R. 1.17(f).

BACKGROUND

On 07 August 2003, applicants filed international application No. PCT/NZ2003/000174, which claims a priority date of 09 August 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 19 February 2004. The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 09 February 2005.

On 25 January 2005, applicants filed in the United States Patent and Trademark Office (PTO) a Transmittal Letter (Form PTO-1390) accompanied by, *inter alia*, the basic national fee. Applicants, however, have not satisfied the requirement set forth by 35 U.S.C. 371(c)(4) because an unexecuted declaration has been provided.

On 05 July 2005, applicants filed the instant petition requesting to change the order of names in the patent application, and it was accompanied by a new application date sheet with the requested order for the names of the inventors in the patent application.

DISCUSSION

MPEP § 605.04(f) requires in instances where to change the order of names in the patent application when the application has been filed to submit a petition under 37 CFR 1.182. The petition must include (1) the appropriate petition fee and (2) should include an application data sheet showing the new order of inventor names to ensure appropriate printing of the inventor names in any patent to issue.

With respect to item (1), the petition fee has been charged to applicants' deposit account.

With respect to item (2), applicants have provided a new application data sheet with the correct order of inventor names.

It is suggested that the executed declaration or oath should be submitted with the correct order of the names of the inventors for the patent application.

CONCLUSION

For the reasons above, the petition under 37 CFR §1.182 is GRANTED.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing.



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